

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 609, FOOD AND DRUGS ACT.

MISBRANDING OF A DRUG PRODUCT—"WITCH HAZEL."

On or about September 14, 1909, A. J. Hilbert & Co., a corporation, Milwaukee, Wis., shipped from the State of Wisconsin to the State of Illinois a quantity of a drug product labeled "Distilled Extract of Witch Hazel (Hamamelis). Dr. Scott Medicine Co., Milwaukee, Wis." and "For bleeding piles, blind piles, toothache, earache, sore throat, sore eyes, sore navels, bleeding lungs, insect stings, neuralgia, etc., for rheumatism, burns, scalds, bruises, kidney diseases, sprains, wounds, ulcers, lame back, frozen limbs, sore feet and corns."

Samples of this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as it appeared from the findings of the analyst and report made that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded said A. J. Hilbert & Co. and the party from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the said shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Eastern District of Wisconsin against the said A. J. Hilbert & Co., charging the above shipment, and alleging that the product so shipped was misbranded, in that it contained 14.15 per cent alcohol by volume, which said amount of alcohol was not declared on the label; in that the labels above set forth were false and untrue for the reason that said drug was not valuable in the treatment of such affections as "Piles, rheumatism, catarrh, quinsy, internal bleeding, hemorrhage, etc." as claimed by said labels.

On May 16, 1910, the defendant entered a plea of guilty to the above information and the court imposed a fine of \$25.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *September 26, 1910.*

